IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 7TH DECEMBER 2006 / 16TH AGRAHAYANA 1928

WP(C).No. 32470 of 2006(M)

PETITIONER:

LEELA MOHAN, AGED 53 YEARS,
W/O.MOHAN DAS, M.S.VIHAR,
PUKKULAM, PARAVOOR VILLAGE,
KOLLAM DISTRICT.

BY ADV. SRI.V.VENUGOPALAN NAIR
SRI.C.UNNIKRISHNAN (KOLLAM)

RESPONDENTS:

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1. THE DISTRICT COLLECTOR,
KOLLAM.

2. THE SUB INSPECTOR OF POLICE,
PARAVOOR, KOLLAM.

BY G.P. SRI. I.V. PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR,J.

W.P.C.NO. 32470 OF 2006

Dated this the 7th day of December, 2006

JUDGMENT

Heard counsel for the petitioner and Government Pleader. Petitioner is challenging Ext.P2 whereunder mini lorry used for unauthorised transport of sand is subject to a fine of Rs. 15,000/- by the District Collector. Even though petitioner claims that fine is excessive, this Court itself has confirmed fine of Rs. 15,000/- for mini lorries used for unauthorised transport of river sand. However, since petitioner is not found to be engaged in regular mining, I feel royalty can be dispensed with. So far as the value of sand is concerned, following the orders issued by the District Collector in other cases, there will be direction to the second respondent to release the truck with the load of sand if the petitioner remits in addition to fine of Rs. 15,000/- a sum of Rs. 1000/- towards value of sand.

W.P. is disposed of as above.

Issue photocopy tomorrow itself.

(C.N.RAMACHANDRAN NAIR)
Judge